

Notice of Public Hearing
LSA Document #18-251

Notice of Public Hearing

Under [IC 4-22-2-24](#), notice is hereby given that on October 25, 2018, at 11:00 a.m., at the Indiana Government Center South, 402 West Washington Street, Conference Center Room #4, Indianapolis, Indiana, the Office of the Secretary of Family and Social Services – Division of Office of Medicaid Policy and Planning will hold a public hearing on a proposed rule to amend [405 IAC 1-1-1](#), [405 IAC 1-1-3](#), [405 IAC 1-1-15](#), and [405 IAC 1-17-18](#) to update definitions, add [405 IAC 1-1-4](#) to update and streamline the program integrity rule, amend [405 IAC 2-3.3-4](#) and [405 IAC 5-21.7-14](#) to align with these changes, and repeal [405 IAC 1-1-4](#), [405 IAC 1-1-5](#), [405 IAC 1-1-5.1](#), [405 IAC 1-1-6](#), [405 IAC 1-1.5](#), [405 IAC 1-5](#), and [405 IAC 5-4](#) to align with the new updated rules.

The proposed rule amends state regulations to update the Medicaid program integrity rules and definitions, including revising the program integrity audit or investigation lookback time periods, modifying the calculation of overpayments so that underpayments identified during audit will be offset from overpayments, and permitting providers to examine claims under audit at their own expense to determine whether there are underpayments. The proposed rule amendment also reduces the claim filing limit from one year to 180 days and repeals rules that have become obsolete because of these changes. These changes are necessary in order to improve and streamline the state's program integrity regulations, codify current policies and processes, and make the Medicaid fee-for-service claim timely filing limit more consistent with the managed care program. These changes improve government processes and promote more efficient operation of the Medicaid program.

Pursuant to [IC 4-22-2-24\(d\)\(3\)](#), the Indiana Family and Social Services Administration (FSSA) – Office of Medicaid Policy and Planning (OMPP) has determined that changes to the current rules are necessary to comply with state and federal law and bring the administrative rules into conformity with the enabling statutes.

All parties interested in the proposed rule are invited to attend the public hearing and to offer public comments. In lieu of attendance at the public hearing, written comments may be sent to: FSSA, Attention: Jeremy Hoffman c/o Kyle Ingram, 402 W. Washington St., Room W451, Indianapolis, IN 46204. Correspondence should be identified in the following manner: "COMMENT RE: LSA Document #18-251, Program Integrity Proposed Rule." All written comments concerning the rule received by the FSSA – OMPP will be available for public inspection at FSSA's Office of General Counsel, Indiana Government Center South, 402 West Washington Street, Room W451, Indianapolis, Indiana.

Pursuant to [IC 4-22-2-24\(d\)](#), copies of the proposed rule and any data, studies, or analyses referenced in a justification of requirements or costs on regulated entities are available to be inspected and copied on the FSSA website at:

<http://www.in.gov/fssa/4543.htm>

Copies of the rule and corresponding documents are now on file at the Indiana Government Center South, 402 West Washington Street, Room W451, Indianapolis, Indiana and are open for public inspection and copying.

Jennifer Walthall, M.D., M.P.H.
Secretary
Indiana Family and Social Services Administration

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